IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Kai DESINGER et al. Serial No : 10/564 322

Filed: June 26, 2006

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Date: January 22, 2010 Group Art Unit: 3739

Examiner: Amanda L. Scott

For: SURGICAL PROBE

VIA EFS-WEB Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

SUBMISSION

Sir:

Filed herewith is a reference together with a form listing the same for the convenience of the Examiner. With respect to a statement of the relevance of WO 02/098312, please note that it was cited in a Japanese Office Action mailed October 29, 2009.

I certify that each item of information contained in this Submission was cited in a communication from a foreign Patent Office in a corresponding foreign application and, to the best of applicant's knowledge, was not received by any individual designated in 37 C.F.R. 1.56(c) more than three months prior to the filing of this Submission.

The fee of \$180.00 for filing the present Information Disclosure Statement is also submitted electronically herewith. In the event the actual fee is greater than the payment submitted or is inadvertently not enclosed or if any additional fee due during the pendency of this application is not paid, the patent and Trademark Office is authorized to charge the underpayment to Deposit Account No. 15-0700.

Respectfully submitted,

Max Moskowitz

THIS CORRESPONDENCE IS BEING SUBMITTED ELECTRONICALLY THROUGH THE UNITED STATES PATENT AND TRADEMARK OFFICE EFS FILING SYSTEM ON January 22, 2010

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